

**\*\*E-filed 09/23/10\*\***

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ANTONIO V. NAGUIAT, JR., et al.,

No. C 10-4303 RS

Plaintiffs,

v.

**ORDER SETTING PRELIMINARY  
INJUNCTION HEARING AND  
DENYING APPLICATION FOR  
TEMPORARY RESTRAINING  
ORDER**

BAC HOME LOANS SERVICING, LP,

Defendant.

Plaintiffs Antonio V. Naguiat and Olivia B. Magno move for a temporary restraining order and a preliminary injunction restraining defendant from proceeding with a non-judicial foreclosure sale of their primary residence, which they assert is presently scheduled for October 8, 2010. A hearing on the motion for preliminary injunction shall be held at 11:00 a.m. on October 6, 2010 in Courtroom 3, 17th Floor, of the Court, located at 450 Golden Gate Avenue, San Francisco, CA. Defendant may file any opposition to the motion no later than noon, on October 4, 2010. The Court reserves the right to decide the matter without oral argument, pursuant to Civil Local Rule 7-1(b) and will notify the parties in advance if the hearing is vacated. The application for a temporary restraining order is denied as moot.

Dated: 9/23/10

  
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RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

1 **THIS IS TO CERTIFY THAT A HARD COPY OF THIS ORDER WAS MAILED TO:**

2 BAC Home Loans Servicing, LP  
3 c/o CT Corporation System  
4 818 W. 7th Street  
5 Los Angeles, CA 90017

6 Courtesy Copies provided by facsimile transmission to:

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18 DATED: 9/23/10

19 /s/ Chambers Staff  
20 Chambers of Judge Richard Seeborg  
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